



General Assembly

January Session, 2005

Raised Bill No. 6660

LCO No. 3387

03387_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

AN ACT CONCERNING CHILD RESTRAINT SYSTEMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 14-100a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (a) No new passenger motor vehicle may be sold or registered in
5 this state unless equipped with at least two sets of seat safety belts for
6 the front and rear seats of the motor vehicle, which belts comply with
7 the requirements of subsection (b) of this section. The anchorage unit
8 at the attachment point shall be of such construction, design and
9 strength as to support a loop load strength of not less than four
10 thousand pounds for each belt.

11 (b) No seat safety belt may be sold for use in connection with the
12 operation of a motor vehicle on any highway of this state unless it is so
13 constructed and installed as to have a loop strength through the
14 complete attachment of not less than four thousand pounds, and the
15 buckle or closing device shall be of such construction and design that
16 after it has received the aforesaid loop belt load it can be released with

17 one hand with a pull of less than forty-five pounds.

18 (c) (1) The operator of and any front seat passenger in a motor
19 vehicle with a gross vehicle weight rating not exceeding ten thousand
20 pounds or fire fighting apparatus originally equipped with seat safety
21 belts complying with the provisions of the Code of Federal
22 Regulations, Title 49, Section 571.209, as amended from time to time,
23 shall wear such seat safety belt while the vehicle is being operated on
24 the highways of this state, except that a child [under the age of four
25 years] six years of age and under shall be restrained as provided in
26 subsection (d) of this section. Each operator of such vehicle shall secure
27 or cause to be secured in a seat safety belt any passenger [four] seven
28 years of age or older and under sixteen years of age.

29 (2) The provisions of subdivision (1) of this subsection shall not
30 apply to (A) any person whose physical disability or impairment
31 would prevent restraint in such safety belt, provided such person
32 obtains a written statement from a licensed physician containing
33 reasons for such person's inability to wear such safety belt and
34 including information concerning the nature and extent of such
35 condition. Such person shall carry the statement on his or her person
36 or in the motor vehicle at all times when it is being operated, or (B) an
37 authorized emergency vehicle, other than fire fighting apparatus,
38 responding to an emergency call or a motor vehicle operated by a rural
39 letter carrier of the United States postal service while performing his or
40 her official duties or by a person engaged in the delivery of
41 newspapers.

42 (3) Failure to wear a seat safety belt shall not be considered as
43 contributory negligence nor shall such failure be admissible evidence
44 in any civil action.

45 (4) On and after February 1, 1986, any person who violates the
46 provisions of this subsection shall have committed an infraction and
47 shall be fined fifteen dollars. Points may not be assessed against the
48 operator's license of any person convicted of such violation.

49 (d) (1) Any person who transports a child [under the age of four
50 years,] ~~six years of age and under or~~ weighing less than [forty] ~~sixty~~
51 pounds, in a motor vehicle on the highways of this state shall provide
52 and require the child to use a child restraint system approved pursuant
53 to regulations adopted by the Department of Motor Vehicles in
54 accordance with the provisions of chapter 54. Any person who
55 transports a child [under the age of four years,] ~~seven years of age or~~
56 ~~older and~~ weighing [forty] ~~sixty~~ or more pounds, in a motor vehicle on
57 the highways of this state shall either provide and require the child to
58 use an approved child restraint system or require the child to use a
59 seat safety belt. As used in this subsection, "motor vehicle" does not
60 mean a bus having a tonnage rating of one ton or more. Failure to use a
61 child restraint system shall not be considered as contributory
62 negligence nor shall such failure be admissible evidence in any civil
63 action.

64 (2) Any person who transports a child under one year of age or
65 weighing less than twenty pounds in a motor vehicle on the highways
66 of this state shall provide and require the child to ride rear-facing in a
67 child restraint system approved pursuant to regulations that the
68 Department of Motor Vehicles shall adopt in accordance with the
69 provisions of chapter 54.

70 (3) Notwithstanding the provisions of subdivision (1) of this
71 subsection, any person who transports a child four years of age or
72 older in a student transportation vehicle, as defined in section 14-212,
73 on the highways of this state shall provide and require the child to use
74 a seat safety belt. Any person who transports a child under four years
75 of age or weighing less than forty pounds in a student transportation
76 vehicle on the highways of this state shall provide and require the
77 child to use a child restraint system approved pursuant to regulations
78 adopted by the Department of Motor Vehicles in accordance with the
79 provisions of chapter 54.

80 (4) No person shall restrain a child in a booster seat unless the motor

81 vehicle is equipped with a safety seat that includes a shoulder belt and
 82 otherwise meets the requirement of subsection (b) of this section.

83 (5) Any person who violates the provisions of subdivision (1), (2),
 84 (3) or (4) of this subsection shall, for a first violation, have committed
 85 an infraction; for a second violation, be fined not more than one
 86 hundred ninety-nine dollars; and, for a third or subsequent violation,
 87 be guilty of a class A misdemeanor. The commissioner shall require
 88 any person who has committed a first or second violation of the
 89 provisions of this subsection to attend a child car seat safety course
 90 offered or approved by the Department of Motor Vehicles. The
 91 commissioner may, after notice and an opportunity for a hearing,
 92 suspend for a period of not more than two months the motor vehicle
 93 operator's license of any person who fails to attend or successfully
 94 complete the course.

95 (e) The commissioner shall administer the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	14-100a(c)

Statement of Purpose:

To require the use of approved child restraint systems in motor vehicles for children under six years of age or weighing less than sixty pounds, to require the use of safety seat belts for child passengers seven years of age and older or weighing sixty pounds or more, to require that child passengers under one year of age or weighing less than twenty pounds use a rear-facing child restraint system, and to require seats or an approved child restraint system for child passengers on a student transportation vehicle.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]